

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/18/2021
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
-against-	:	18-CR-282 (VEC)
	:	
LUIS SOTO,	:	<u>ORDER</u>
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS this case has been remanded for resentencing on Count III, Dkt. 266;

WHEREAS on January 12, 2021, the Court scheduled Mr. Soto's resentencing for January 28, 2021 by video conference using the Court Call platform, Dkt. 267;

WHEREAS on January 17, 2021, Mr. Soto notified the Court that he does not consent to appearing by way of video, Dkt. 267;

WHEREAS in the same letter, Mr. Soto requested that an updated Pre-Sentence Report be ordered, Dkt. 267; and

WHEREAS attorney Mark Gombiner was appointed as Mr. Soto's counsel soon after his arrest, Dkt. 3, and attorneys Jonathan Marvinny, Akash Toprani, and Jeffrey Cohn have filed notices of appearance in this matter, Dkts. 77, 80, 232;

IT IS HEREBY ORDERED that Mr. Soto's resentencing is adjourned to **Thursday, April 15, 2021, at 11:00 A.M.** The resentencing will be held in Courtroom 443 of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007.

IT IS FURTHER ORDERED that pre-sentencing submissions are due no later than **Friday, April 2, 2021.** The Government must include in its submission Mr. Soto's Bureau of Prison's disciplinary and education records from the date of his prior sentencing.

IT IS FURTHER ORDERED that the Mr. Soto's request that an updated Pre-Sentence Report be prepared is DENIED.

IT IS FURTHER ORDERED that the U.S. Attorney's Office must promptly make arrangements to have Mr. Soto transported back to the New York City area so he will be in the area at least two weeks before the date of resentencing.

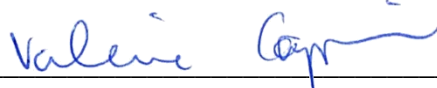
IT IS FURTHER ORDERED that any attorney no longer representing Mr. Soto must file a motion to withdraw their representation by no later than **Friday, January 29, 2021**.

IT IS FURTHER ORDERED that per the SDNY COVID-19 COURTHOUSE ENTRY PROGRAM, any person who appears at any SDNY courthouse must complete a questionnaire and have his or her temperature taken. Please see the enclosed instructions. Completing the questionnaire ahead of time will save time and effort upon entry. Only those individuals who meet the entry requirements established by the questionnaire will be permitted entry. Please contact chambers promptly if you or your client do not meet the requirements.

IT IS FURTHER ORDERED that interested members of the public may attend the resentencing by dialing 1-888-363-4749, using the access code 3121171 and the security code 0282. All of those accessing the hearing are reminded that recording or rebroadcasting of the proceeding is prohibited by law.

SO ORDERED.

Date: January 18, 2021
New York, NY



VALERIE CAPRONI
United States District Judge

Instructions for Courthouse Entry

All members of the public, including attorneys, appearing at a Southern District of New York courthouse must complete a questionnaire and have their temperature taken before being allowed entry into that courthouse.

On the day you are due to arrive at the courthouse, click on the following weblink to begin the enrollment process. Follow the instructions and fill out the questionnaire. If your answers meet the requirements for entry, you will be sent a QR code to be used at the SDNY entry device at the courthouse entrance.

Weblink: <https://app.certify.me/SDNYPublic>

Note: If you do not have a mobile phone or mobile phone number, you must complete the questionnaire and temperature screening at an entry device at the courthouse.